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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,064	01/04/2002	Joe Gaidjergis	319578007US1	3578

27076 7590 03/17/2006

DORSEY & WHITNEY LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
SUITE 3400  
1420 FIFTH AVENUE  
SEATTLE, WA 98101

EXAMINER

BUTLER, PATRICK

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/039,064	GAIDJIERGIS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Patrick Butler	1732	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Patrick Butler. (3) Marcus Simon.  
 (2) Michael Colaianni. (4) \_\_\_\_\_.

Date of Interview: 23 February 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 62, 64, and 66 (of proposed amendments).

Identification of prior art discussed: U.S. Patent No. 3,962,941 (Kober) and U.S. Patent No. 4,246,815 (Hugo).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



**MICHAEL P. COLAIANNI**  
**SUPERVISORY PATENT EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The most recent Office Action was complete at the time of the interview, but had not been received by Mr. Simon. Mr. Simon discussed the punch clearance as measured in the office action dated 20 May 2005. Mr. Butler stated that the measurements were no longer relied upon in the Office Action completed to be mailed. The polymeric material 50 of Hugo was discussed with Mr. Butler interpreting the reference to place the polymeric material in compressed contact with the board before, during, and after punching portions of the punch stroke. Mr. Butler interpreted proposed Claim 66's "the full length of the at least one punch" to have several meanings: length of the portion that enters the board, entire length of the rod used to punch, etc. Mr. Simon referred to ref. 50 of Applicant's drawings for the meaning of the length. The "outwardly bowing" of proposed Claim 64 was discussed with respect to its meaning, and a consideration was made by Mr. Simon to include a physical deflection of the compressible biasing elements. Attached are the claim proposals that were discussed during the interview.

**FAX COVER SHEET**

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<b>DATE:</b> February 17, 2006		<b>TOTAL # OF PAGES:</b> (INCLUDING THIS COVER SHEET) 6	
<b>TO:</b>	Examiner Patrick N. Butler	<b>FAX #:</b>	(571) 273-8517
<b>FIRM NAME:</b>	U.S. Patent and Trademark Office	<b>PHONE #:</b>	(571) 272-8517
<hr/>			
<b>FROM:</b>	Marcus Simon	<b>FAX #:</b>	(206) 903-8820
<b>PHONE #:</b>	(206) 903-8787	<b>EMAIL:</b>	simon.marcus@dorsey.com

**COMMENTS:**

Examiner Butler:

Enclosed are the proposed new claims for discussion during our telephone interview scheduled for Thursday, February 23, 2006 at 1:00PM eastern.

Marcus Simon

ORIGINAL WILL BE SENT VIA: ☐ MAIL ☐ E-MAIL ☐ MESSENGER ☐ AIR COURIER ☒ WILL NOT BE SENT

PLEASE CONTACT SHERRI PHILLIPS AT (206) 903-5468 IF THIS TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

REFERENCE # 186583/US/2

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# DRAFT PROPOSAL

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/039,064 Confirmation No. : 3578  
Applicants : Joe Gaidjiorgis et al.  
Filed : January 4, 2002 Attorney Docket No.: 186583/US/2  
Art Unit : 1732 Customer No. : 27,076  
Examiner : Patrick N. Butler  
Title : METHODS AND APPARATUS FOR MANUFACTURING FIBER-CEMENT SOFFITS  
WITH AIR VENTS

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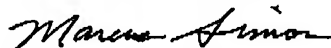
PROPOSED AMENDMENT

Dear Examiner Butler:

Proposed new claims 62-76 are enclosed with this paper. In addition to claims 17-61, Applicants attorney would like to discuss the proposed new claims 62-76 during the phone interview scheduled with Examiner Butler for Thursday, February 23, 2006 at 1 PM Eastern Time. However, Applicants attorney would like to focus the discussion on the proposed new claims 62-76.

Respectfully submitted,

DORSEY & WHITNEY LLP



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Appl. No. 10/039,064

PROPOSED

Proposed New Claims:

Proposed new claims 62-76 are listed below:

62. (New) A method of fabricating fiber-cement soffit, comprising:

placing a fiber-cement panel between a punch assembly and a support assembly so that a first side of the panel faces the punch assembly and a second side of the panel faces the support assembly, the punch assembly having a punch plate and a plurality of punches having a first cross-sectional dimension coupled to the punch plate, and the support assembly having a support plate with a plurality of holes having a second cross-sectional dimension larger than the first cross-sectional dimension of the punches;

driving the punches along a punch stroke through at least a portion of the fiber-cement panel to form a plurality of openings in the fiber-cement panel;

pressing at least one compressible biasing element against the first side of the fiber-cement panel as the punches move along the punch stroke; and

continuously pressing the at least one compressible biasing element against the first side of the fiber-cement panel as the punches are completely withdrawn from the openings in the fiber-cement panel.

63. (New) The method of claim 62 wherein:

the at least one compressible biasing element comprises a plurality of compressible biasing elements; and

continuously pressing the at least one compressible biasing element against the first side of the fiber-cement panel until the punches are completely withdrawn from the openings in the fiber-cement panel comprises pressing each of the compressible biasing elements against the first side of the fiber-cement panel adjacent the openings in the fiber-cement panel.

Appl. No. 10/039,064

64. (New) The method of claim 62 wherein:

the at least one compressible biasing element comprises a plurality of compressible biasing elements, each of the compressible biasing elements partially surrounding one of the punches; and

continuously pressing the at least one compressible biasing element against the first side of the fiber-cement panel as the punches move along the punch stroke comprises outwardly bowing each of the compressible biasing elements away from the corresponding punch surrounded by the compressible biasing element.

65. (New) The method of claim 62 wherein pressing at least one compressible biasing element against the first side of the fiber-cement panel as the punches move along the punch stroke comprises pressing the at least one compressible biasing element directly against the first side of the fiber-cement panel as the punches move along the punch stroke.

66. (New) The method of claim 62 wherein at least one of the punches are received by the at least one compressible biasing element, the at least one punch having a length and the at least one compressible biasing element extending along approximately the full length of the at least one punch.

67. (New) The method of claim 62 wherein the at least one compressible biasing element comprises a spring.

68. (New) The method of claim 62 wherein the at least one compressible biasing element comprises a resilient tube that receives one of the punches.

69. (New) The method of claim 62 wherein the at least one compressible biasing element comprises a polymeric resilient member.



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70. (New) The method of claim 69 wherein a polymeric resilient member comprises rubber.

71. (New) The method of claim 62 wherein driving the punches comprises passing the punches along the punch stroke path to an intermediate depth of the fiber-cement panel without passing the punches completely through the panel and ejecting plugs from the panel in the direction of the punch stroke.

72. (New) The method of claim 62 wherein driving the punches comprises passing the punches along the stroke path completely through the fiber-cement panel and ejecting the plugs from the panel in the direction of the punch stroke.

73. (New) The method of claim 62 wherein:

the punches are arranged in an array and have a diameter of approximately 0.11-0.25 inch, and the holes are arranged in a corresponding array and have a diameter of approximately 0.18-0.39 inch to provide a radial punch-hole clearance between the punches and the holes of approximately 0.04-0.07 inch; and

driving the punches comprises moving the punches along the punch stroke into the fiber-cement panel until the punches eject plugs from the panel in the direction of the punch stroke.

74. (New) The method of claim 62 wherein:

a clearance between the holes in the support plate and the punches is approximately between 4%-30% of the second dimension of the holes; and

driving the punches comprises moving the punches along the punch stroke into the fiber-cement panel until the punches eject plugs from the panel in the direction of the punch stroke.

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75. (New) The method of claim 62 wherein:

a clearance between the holes in the support plate and the punches is approximately between 4%-40% of a thickness of the fiber-cement panel; and

driving the punches comprises moving the punches along the punch stroke into the fiber-cement panel until the punches eject plugs from the panel in the direction of the punch stroke.

76. (New) The method of claim 62 wherein:

a clearance between the holes in the support plate and the punches is approximately between 0.04-0.07 inch; and

driving the punches comprises moving the punches along the punch stroke into the fiber-cement panel until the punches eject plugs from the panel in the direction of the punch stroke.

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